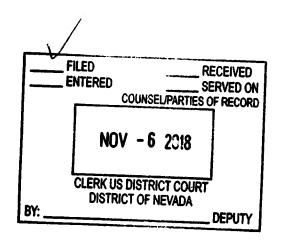
## Case 3:13-cv-00508-RCJ-CBC | Document 131 | Filed 11/02/18 | Page 1 of 3

1 ADAM PAUL LAXALT Nevada Attorney General 2 D. RANDALL GILMER (Bar No. 14001) Chief Deputy Attorney General 3 State of Nevada Office of the Attorney General 555 E. Washington Ave., Ste. 3900 4 Las Vegas, NV 89101 5 (702) 486-3427 (phone) (702) 486-3773 (fax) drgilmer@ag.nv.gov 6 7 Attorneys for Defendants Isidro Baca, Scott Kahler, Kathryn Reynolds, 8 James Stogner and Elizabeth "Lisa" Walsh



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Case No. 3:13-cv-00508-RCJ-<del>WG</del>

DAVID JONATHAN THOMAS,

Plaintiff,

vs.

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JAMES COX, et al.,

Defendants.

MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT

Defendants, Isidro Baca, Scott Kahler, Kathryn Reynolds, James Stogner, and Elizabeth "Lisa" Walsh (Defendants), by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and D. Randall Gilmer, Chief Deputy Attorney General, hereby submit their Motion for Extension of Time to File a Motion for Summary Judgment. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

## MEMORANDUM OF POINTS AND AUTHORITIES

## II. ARGUMENT

Defendants respectfully request a thirty-one (31) day extension of time out from the current deadline (November 26, 2018) (see ECF No. 123) to file a motion for summary judgment in this case. Counsel for Defendants is confronted with numerous competing

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deadlines and a high workload due to staffing changes in the Office of the Attorney However, such obstacles are currently being resolved and the requested General. extension of time should afford Defendants adequate time to file a motion for summary judgment in this case.

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

> When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's case, but will allow for more thorough dispositive motion briefing to narrow or eliminate issues prior to further proceedings. The requested thirty-one (31) day extension of time should permit Defendants time to file a motion for summary judgment. Defendants assert that the requisite good cause is present to warrant the requested extension of time.

For these reasons, Defendants respectfully request a thirty-one (31) day extension of time from the current deadline to file a motion for summary judgment, with a new deadline to and including Thursday, December 27, 2018.

DATED this 2nd day of November, 2018.

ADAM PAUL LAXALT Attorney General

By: /s/ D. Randall Gilmer D. Randall Gilmer (Bar No. 14001) Chief Deputy Attorney General

Attorneys for Defendants Isidro Baca, Scott Kahler, Kathryn Reynolds, James Stogner and Elizabeth "Lisa" Walsh

> IS SO ORDERED U.S. MAGISTRATE JUDGE

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1 | CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the State of Nevada, Office of the Attorney General, and that on the 2nd day of November, 2018, I served the foregoing MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT by causing a true and correct copy thereof to be deposited for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada to the following:

David Jonathan Thomas, #18724 Northern Nevada Correctional Center P O Box 7000 Carson City, NV 89702

/s/ Barbara Fell
An employee of the
Office of the Attorney General